

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMES ABRAHAM, PATRICK HASAN, and
VARGHESE PUTHUVAMKUNNATH and
SALOMY PUTHUVAMKUNNATH,
individually and as Personal Representatives for
the Estate of JIJO PUTHUVAMKUNNATH,
deceased,

Index No. 11-cv-5947 (PKC)

ANSWER TO COUNTERCLAIM

Plaintiffs,

-against-

RICHARD AQUILONE JR.,

Defendants.

-----X

Plaintiff, PATRICK HASAN, by and through his attorneys, Kreindler & Kreindler LLP, as to his Answer to defendant RICHARD AQUILONE, JR.'s Counterclaim, states upon information and belief, as follows:

1. The allegations contained in paragraph one of the Counterclaim are statements of law to which no answer is required.
2. The allegations contained in paragraph two of the Counterclaim are statements of law to which no answer is required.
3. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph three of the Counterclaim.
4. Admits the allegations contained in paragraph four of the Counterclaim.
5. Admits the allegations contained in paragraph five of the Counterclaim.
6. Admits the allegations contained in paragraph six of the Counterclaim.
7. Admits the allegations contained in paragraph seven of the Counterclaim.
8. Admits the allegations contained in paragraph eight of the Counterclaim.

9. Admits the allegations contained in paragraph nine of the Counterclaim.
10. Admits the allegations contained in paragraph ten of the Counterclaim.
11. Admits the allegations contained in paragraph eleven of the Counterclaim.
12. Admits the allegations contained in paragraph twelve of the Counterclaim.
13. Admits the allegations contained in paragraph thirteen of the Counterclaim.
14. Denies that the Bayliner was anchored in a no-anchorage zone, and denies knowledge or information sufficient to form a belief as to the truthfulness of each and every other allegation contained in paragraph fourteen of the Counterclaim.
15. Admits the allegation contained in paragraph fifteen of the Counterclaim.
16. Denies the allegation contained in paragraph sixteen of the Counterclaim.
17. Denies the allegation contained in paragraph seventeen of the Counterclaim.
18. Denies the allegation contained in paragraph eighteen of the Counterclaim.
19. Denies the allegation contained in paragraph nineteen of the Counterclaim.
20. Denies the allegation contained in paragraph twenty of the Counterclaim.
21. Denies the allegations contained in paragraph twenty-one of the Counterclaim.
22. Denies the allegations contained in paragraph twenty-two of the Counterclaim.
23. Denies the allegations contained in paragraph twenty-three of the Counterclaim.
24. Denies the allegation contained in paragraph twenty-four of the Counterclaim.
25. Denies the allegation contained in paragraph twenty-five of the Counterclaim.
26. Denies the allegation contained in paragraph twenty-six of the Counterclaim.
27. Denies the allegation contained in paragraph twenty-seven of the Counterclaim.
28. Denies the allegations contained in paragraph twenty-eight of the Counterclaim.
29. Denies the allegations contained in paragraph twenty-nine of the Counterclaim.

30. The allegations contained in paragraph thirty of the Counterclaim are statements of law to which no answers are required.

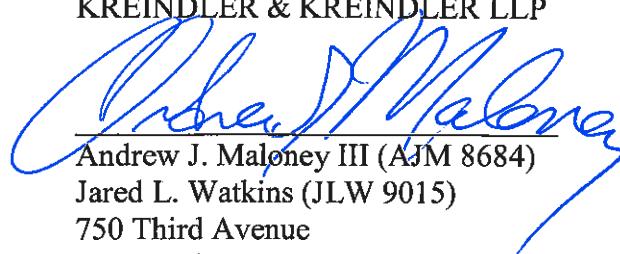
31. The allegations contained in paragraph thirty-one of the Counterclaim are statements of law to which no answers are required.

32. Denies the allegations contained in paragraph thirty-two of the Counterclaim.

Dated: New York, New York
October 31, 2011

Yours, etc.

KREINDLER & KREINDLER LLP



Andrew J. Maloney III (AJM 8684)
Jared L. Watkins (JLW 9015)
750 Third Avenue
New York, NY 10017
Phone: (212) 687-8181
Attorneys for Plaintiffs

To: Via ECF and Regular Mail

James E. Mercante, Esq.
Richard Gonzalez, Esq.
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New York, NY 10017
Attorneys for defendant RICHARD AQUILONE, JR.

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Attorney for third party defendants,
NYWT SHARK LLC and NYWT CIRCLE LINE LLC
d/b/a CIRCLE LINE DOWNTOWN

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)
) ss.:
COUNTY OF NEW YORK)

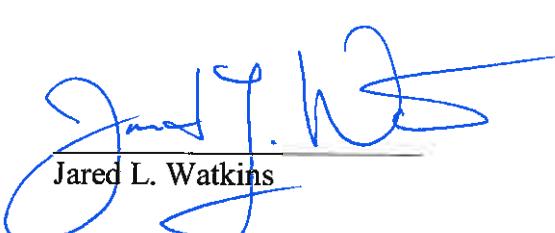
Jared L. Watkins, being duly sworn, deposes and says: He is not a party to the within action, is over 18 years of age and works at 750 Third Avenue, New York, New York.

That on October 31, 2011, he served a copy of the attached *Answer to Counterclaim* upon each of the party or parties listed below, attorneys for defendants, by ECF and by depositing same in an official depository of the United States Postal Service to the addresses designated by the parties for such service.

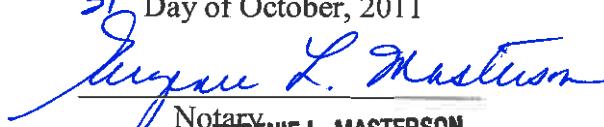
The party or parties served were as follows:

James E. Mercante, Esq.
Richard Gonzalez, Esq.
RUBIN, FIORELLA & FRIEDMAN LLP
292 Madison Ave., 11th Floor
New York, NY 10017
Attorneys for defendant RICHARD AQUILONE, JR.

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80 Pine Street
New York, NY 10005
*Attorney for third party defendants,
NYWT SHARK LLC and NYWT CIRCLE LINE LLC
d/b/a CIRCLE LINE DOWNTOWN*


Jared L. Watkins

Sworn to before me this
31 Day of October, 2011


Notary
EUGENIE L. MASTERSON
Notary Public, State of New York
No. 30-4719641
Qualified in Nassau County
Term Expires October 31, 2014